

On motion of Senator Shelburne the reading of the Journal was dispensed with.

### BILLS AND RESOLUTIONS.

By Senator Tips:

Resolved, That Committee Clerk C. W. Jester, Jr., be assigned to duty as clerk of the Finance Committee, and when not engaged in work for that committee, to assist in the engrossing of bills.

Adopted.

Gall concluded.

Senator Dibrell called up

Senate bill No. 51, entitled "An act to amend articles 798 and 799 of chapter 18, title 17, of the Penal Code of the State of Texas,"

With House amendments thereto, and moved that the Senate concur therein.

Concurred.

Senator Dibrell also called up

Senate bill No. 56, a bill entitled "An act to amend article 503 of chapter 3, title 15, of the Penal Code of the State of Texas, relating to the offense of rape, and to repeal the limit to the penalty therefor,"

With House amendments thereto, and moved to concur in said amendments.

Concurred.

Senator Darwin called up

House bill No. 579, a bill entitled "An act to restore and confer upon the county court of Camp county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

And had same made special order for Thursday next after call.

### SPECIAL ORDER.

The Chair laid before the Senate, on its passage to third reading,

House bill No. 404, being a bill to be entitled "An act to amend an act entitled 'An act to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas,' approved March 30, 1889."

Bill read third time.

Pending action,

Senator Lewis moved that in honor of San Jacinto Day, the Senate stand adjourned to 10 a. m. tomorrow.

Adjourned by the following vote:

### Yeas—19.

Atlee,  
Bailey,  
Beall,  
Boren,  
Bowser,  
Colquitt,  
Dean,  
Dickson,  
Goss,  
Greer,

Lasker,  
Lawhon,  
Lewis,  
McComb,  
Presler,  
Rogers,  
Shelburne,  
Simpson,  
Tips,

### Nays—9.

Darwin,  
Dibrell,  
Gage,  
McKinney,  
Sherrill,

Smith,  
Steele,  
Whitaker,  
Woods.

Absent, excused.

Harrison,

Absent, not excused.

Agnew,

Stafford.

### EIGHTY-FIFTH DAY.

Senate Chamber,  
Austin, Texas, April 23, 1895.

Senate met pursuant to adjournment.  
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee,  
Bailey,  
Beall,  
Boren,  
Bowser,  
Colquitt,  
Darwin,  
Dean,  
Dibrell,  
Dickson,  
Gage,  
Goss,  
Greer,  
Lasker,

Lawhon,  
Lewis,  
McComb,  
Presler,  
Rogers,  
Shelburne,  
Sherrill,  
Simpson,  
Smith,  
Steele,  
Tips,  
Whitaker,  
Woods.

Absent, not excused.

Agnew,  
Harrison,

McKinney,  
Stafford.

Prayer by Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was suspended.

On motion of Senator Bowser, the Chaplain, Dr. Smoot, was excused for non-attendance on yesterday because of patriotic motives.

On motion of Senator Rogers, Assistant Journal Clerk A. S. Thweatt was excused for yesterday and today, on account of important business.

On motion of Senator Goss, Senator Agnew was excused for yesterday, today and the remainder of this week on account of important business.

On motion of Senator Woods, Senator McKinney was excused for today, on account of sickness.

On motion of Senator Presler, Senator Stafford was excused for non-attendance on last Saturday and Monday; also excused indefinitely, on important business.

On motion of Senator Presler, page Master Matt. Glover was excused for non-attendance on yesterday and today.

#### PETITIONS AND MEMORIALS.

By Senator Boren:

Memorial protesting against the bill affecting building and loan associations.

Read and referred to Judiciary Committee No. 2.

By Senator Gage:

Petition from citizens of Ward county for amendment of the bill providing for the taxation of bachelors.

Read and referred to special committee.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, April 22, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

A majority of your joint committee appointed to inquire into the advisability and practicability of removing the Land Office from the Land Office building into the Capitol building, beg leave to submit that in our opinion it is both advisable and practicable, for the following reasons, to-wit:

First. When the Capitol building was erected it was intended to make it large enough to place all the departments of the State government within its walls, and we find upon investigation that its capacity is ample for this purpose. There is sufficient room for the Land Office on the first floor of the Capitol in the west end of the building in rooms now occupied by the Agricultural Department, and there is sufficient space for this department on the fourth floor in rooms now entirely vacant.

Second. We regard the Capitol as being quite as safe for the preservation and protection of the records from fire as the building now occupied by the Land Office. The present Land Office building is heated by means of stoves, while

the Capitol is heated by means of steam; so that the danger from fire is less in the latter than in the former. Besides, there are watchmen on guard night and day, and there are cisterns of water kept in the dome of the Capitol from which, by means of hose kept in constant readiness for use, water can be carried to any part of the building at a moment's notice.

Third. To put the Land Office in the Capitol building would make it more convenient for persons having business with the departments. It would save a great deal of time to the clerks of the Land Office in transacting the daily business of the State, and would save a large amount of postage now required in communications between the departments.

Fourth. There are annually expended the following sums which would be saved to the State if the Land Office were placed in the Capitol building:

Salary of night watchman .....	\$600 00
Wood .....	250 00
Water .....	250 00
Repairing of fixtures .....	250 00
Total .....	\$1350 00

In addition to this, the annual expenditure for repairs to the present Land Office building for the past twelve years amounts to about \$2500. This sum could be saved to the State in the future by placing the Land Office in the Capitol building.

For these reasons we think the change should be made.

Respectfully submitted,

D. F. GOSS,  
On part of Senate.

J. F. BROWN,  
V. B. RITTER,  
On part of House.

A majority of your committee.

Committee Room,  
Austin, Texas, April 22, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 305, a bill to be entitled "An act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety and the safe depositing of assets for which such surety may be liable, and the charging of fiduciaries of the expense of procuring sureties,"

Have had the same under consideration, and I am instructed by a majority of said committee to report the same

back to the Senate with the recommendation that it do not pass.

SIMPSON, Chairman.

Committee Room,  
Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 29, a bill to be entitled "An act to adopt and establish the Revised Civil Statutes of Texas."

And find the same correctly engrossed.  
COLQUITT, Acting Chairman.

Committee Room,  
Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 66, a bill to be entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109, relating to the purpose for which private corporations may be formed."

And find the same correctly engrossed.  
COLQUITT, Acting Chairman.

Committee Room,  
Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

The undersigned members of your Finance Committee respectfully beg leave to submit the following minority report on House bill No. 665, and recommend that the same be substituted for majority report:

We recommend that said bill do pass, without amendment of the committee. We believe  $2\frac{1}{4}$  per cent on the gross premium receipts of life insurance companies to be a fair and proper rate of taxation to be levied on these companies, the effect of whose business is a continual drain of money from Texas. Collecting approximately about three millions of dollars annually, they pay back in death losses about one million dollars. If any business in Texas can stand an increase of taxation, it is this.

So far from being benevolent, beneficial and charitable good Samaritans, they are little better than "fakirs," running a "brace game" at which the public bucks and is skinned. One of the New York life insurance companies commencing with \$100,000 capital has today in assets of one kind and another, capital, surplus, and reserve over one hundred and sixty millions of property.

Such phenomenal thrift and prosperity but illustrates the fact that the public is

being "worked," victimized, and robbed by these old line insurance companies.

Having no physical properties in the State worth mentioning, we can only reach them by an occupation tax. If the three millions collected as gross premiums represented an investment in property situated in this State and subject to ad valorem taxation, it would have to be many millions in order to yield three millions gross income or revenue, and the ad valorem tax at the rate paid by our citizens would amount to much more than the tax levied by this bill.

In many cities and towns of this State our citizens pay a total tax, State, county, and municipal, of as much as  $2\frac{1}{4}$  per cent, not upon the gross revenue or income realized, but upon the value of their property, regardless of the amount realized annually from such investments. That which is annually the source of income should be held to be property, and subjected to taxation. The insurance written in this State amounting to many millions of property, and represented by policies carried by our citizens, is the property, the source from which the three millions premiums revenue income is derived, and a very small tax, if practicable, levied on this property, would yield more than the  $2\frac{1}{4}$  per cent provided in this bill.

If these life insurance companies had in the past invested in physical properties located in this State and subject to ad valorem taxation, even the net amount of their premium receipts derived from business written in this State; or if they evidenced any intention to make such investments to any considerable amount in the future, they might lay some claim to indulgence at the hands of the Legislature. Considering the effect of their business, as conducted at present, upon our financial condition, it is a serious question whether they ought not to be considered as public enemies and subjected to a tax of about 10 per cent on their gross premium receipts and an occupation tax of about \$5000 on each agent. The proposed tax is extremely liberal, and the companies ought to acquiesce with thanks for the leniency shown them.

PRESLER,  
BOWSER.

Committee Room,  
Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 650, a bill to be entitled "An act to diminish the criminal juris-

diction of the county court of Refugio county."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DEAN, Acting Chairman.

#### BILLS AND RESOLUTIONS.

By Senator Whitaker:

A bill to be entitled "An act to amend article 39, title 1, chapter 2 of the Code of Criminal Procedure of the State of Texas, relating to the appointment of an attorney pro tem. to represent the State."

Read first time and referred to Judiciary Committee No. 1.

Call concluded.

The Chair gave notice of signing, and did sign after the captions of same had been read.

House bill No. 549, "An act to provide for the construction and maintenance of ditches, drains and water courses, and for the improvement and enlargement of natural drainage of the several counties within the State of Texas."

House bill No. 56, entitled "An act to amend article 4334 of Revised Statutes of Texas."

#### UNFINISHED BUSINESS.

The Chair laid before the Senate

House bill No. 404, being a bill to be entitled "An act to amend an act entitled 'An act to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas,' approved March 30, 1889,"

Action being upon final passage.

Pending action,

Senator Lewis moved to recommit the bill to a special committee of five.

Recommitted by the following vote:

Yeas—18.

Atlee,	Lasker,
Bailey,	Lawhon,
Beall,	Lewis,
Boren,	McComb,
Dean,	Presler,
Dickson,	Rogers,
Gage,	Shelburne,
Goss,	Simpson,
Greer,	Tips.

Nays—7.

Colquitt,	Steele,
Dibrell,	Whitaker,
Sherrill,	Woods.
Smith,	

Paired.

Yea.	Nay.
Darwin,	Stafford.

Present, not voting.

Bowser.

Absent, excused.

Agnew,

McKinney.

Absent, not excused.

Harrison.

The Chair gave notice of signing, and did sign, after the captions of same had been read.

Senate bill No. 137, "An act to amend sections 6 and 8, and to repeal section 9, of an act approved March 30, 1881, entitled 'An act to establish the University of Texas.'"

Senate bill No. 211, "An act to authorize and empower the Houston and Texas Central Railroad Company to acquire, control and operate, upon such terms as may be agreed upon by the parties, by lease or purchase, and by consolidating with and merging into its own the railroads and all the corporate rights, franchises and privileges and property of the Central Texas and Northwestern Railway Company, the Fort Worth and New Orleans Railway Company, the Austin and Northwestern Railroad Company and the Granite Mountain and Marble Falls City Railroad Company, each respectively; and to authorize and empower each and all of said last named companies to lease or sell or consolidate with and merge into said Houston and Texas Central Railroad Company their respective railroads and all their respective corporate rights, franchises, privileges and property."

Senate bill No. 191, "An act to amend sections 38, 103, 106 and 138 of an act entitled 'An act to incorporate the city of Fort Worth, and to grant a charter to said city, approved March 20, 1889, and sections 6, 7, 20, 34, 88 and 102 of said act, as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101d, 101e, 102a, 103a, 104a, 104b, 106a and 106b.'"

Senate bill No. 45, "An act to amend article 3183, chapter 4, title 61, of the Revised Civil Statutes."

Senate bill No. 56, "An act to amend article 503, of chapter 3, title 15, of the Penal Code of the State of Texas."

Senate bill No. 55, "An act to amend article 75 of chapter 1, of title 8, of the Revised Civil Statutes of the State of Texas."

Senate bill No. 23, "An act to amend section 1, chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, and to fix the time and place of making sales of real estate under execution, order of sale or venditioni exponas,

and to prescribe the mode and manner of advertising such sales."

Senate bill No. 51, "An act to amend articles 798 and 799, of chapter 18, title 17, of the Penal Code of the State of Texas."

The Chair then announced the following special committee of five to consider

House bill No. 404, being a bill be entitled "An act to amend an act entitled 'An act to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas,' approved March 30, 1889."

Senators Smith, Dibrell, Beall, Lewis and Darwin.

Senator Bowser moved to suspend regular order to take up

Senate bill No. 252, a bill to be entitled "An act to amend article 685, chapter 5, title 8, of the Code of Criminal Procedure of the State of Texas, relating to trial and its incidents."

Suspended by the following vote:

Yeas—19.

Bailey,	Greer,
Beall,	Lasker,
Boren,	Lewis,
Bowser,	McComb,
Colquitt,	Presler,
Darwin,	Rogers,
Dean,	Sherrill,
Dickson,	Steele,
Gage,	Tips.
Goss,	

Nays—7.

Atlee,	Smith,
Dibrell,	Whitaker,
Shelburne,	Woods.
Simpson,	

Paired.

Yea.	Nay.
Stafford,	Lawhon.
	Absent, excused.
Agnew,	McKinney.
	Absent, not excused.
Harrison.	

Bill read third time, and passed by the following vote:

Yeas—14.

Atlee,	Gage,
Bailey,	Lasker,
Beall,	Presler,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Steele,
Dibrell,	Tips.

Nays—9.

Darwin,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Lewis,	Woods.
McComb.	

Paired.

Yea.	Nay.
Stafford,	Lawhon.
	Present, not voting.
Greer.	Absent, excused.
Agnew,	McKinney.
	Absent, not excused.
Goss,	Whitaker.
Harrison,	

Senator Bowser moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Senator Dibrell moved a call of the Senate, which was duly ordered, the following Senators answering to their names:

Atlee,	Lawhon,
Bailey,	Lewis,
Beall,	McComb.
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Dickson,	Steele,
Gage,	Tips,
Greer,	Woods.
Lasker,	

Absent, excused.

Agnew,	Stafford.
McKinney,	

Absent, not excused.

Goss,	Whitaker.
Harrison,	

Bill went to the table.

## HOUSE MESSAGE.

House of Representatives,  
Austin, Texas, April 22, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the report of free conference committee on Senate bill No. 24.

Also, that the House has concurred in Senate amendments to House bill No. 63, House bill No. 56, House bill No. 725, and House bill No. 358.

Also, that the House has passed the following bills:

Senate bill No. 89, "An act to amend articles 483, 484 and 485 of the Code of Criminal Procedure of the State

of Texas, prescribing the manner in which citations shall be served upon witnesses disobeying subpoenas in criminal cases, the character of judgment that may be rendered in such cases, and providing for the collection of same."

Passed by the following vote: Ayes 82, nays 11.

Substitute House bill No. 19, a bill to be entitled "An act to amend chapter 1, title 14, of the Penal Code, so as to insert article 450, providing for the prosecution in one bill of indictment of all such offenses as are based upon the same forged instrument of writing, and to prevent the double collection of fees in such cases."

House bill No. 140, a bill to be entitled "An act to amend article 101a, of the Revised Civil Statutes of the State of Texas, relative to insane convicts," and providing for their conveyance to the lunatic asylum."

Substitute Senate bill No. 106, a bill to be entitled "An act to authorize the incorporation of companies for the purpose of constructing union depots, and to authorize railway companies to own stocks and bonds of such depot companies, and to regulate the issuance of bonds by such union depot companies."

Passed by a two-thirds vote—yeas 86, nays 7.

House bill No. 644, being "An act to grant a pension to Berry Merchant."

House bill No. 217, a bill to be entitled "An act to empower all organized counties which have not bonded their outstanding and floating indebtedness, to pay interest thereon, and to empower such counties to issue interest bearing scrip,"

House bill No. 425, a bill to be entitled "An act to amend article 869 of the Code of Criminal Procedure of the State of Texas, relating to action of the Court of Appeals in rendering judgments on the record."

House bill No. 471, a bill to be entitled "An act to amend section 62 of an act entitled 'An act to organize the Court of Criminal Appeals of the State of Texas, to define the jurisdiction thereof, to prescribe the procedure therein, to fix the places and times of holding the terms of said court, to repeal articles 1064, 1065, 1066, 1067, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, of the Revised Civil Statutes of the State of Texas, to repeal articles 64, 65, 66, 67, 838, 840, 841, 843, 844, 845, 852, 853, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 876, 877, 878, 879, 880, 881, 882, 883, 885, 887, 888, 889, 890, 1049, 1050, 1051, 1052, 1087, 1088, 1089, of the Code of Criminal Procedure of the State of

Texas, and all laws and parts of laws in conflict with the provisions of this act,' passed at the first called session of the Twenty-second Legislature of the State of Texas, being chapter 16 of said acts."

House bill No. 564, a bill to be entitled "An act making it the duty of the commissioners court of all counties of the State of Texas to count all moneys in the hands of the county treasurer of their respective counties, and belonging to such counties, and to make such examination of the books, accounts, and vouchers of their respective county treasurer as to them may seem necessary and proper, in order to ascertain the true condition of the finances of their respective counties, and to provide a penalty for failure to comply with this act."

Passed by a two-thirds vote—yeas 97, nays 1.

House bill No. 593, a bill to be entitled "An act to amend article 3600 of the Revised Statutes of the State of Texas."

House bill No. 581, a bill to be entitled "An act for the relief of Mrs. Jane W. Humphreys, widow of P. W. Humphreys, and to grant her a certificate for 1280 acres of land."

House bill No. 600, a bill to be entitled "An act to amend an act approved March 15, 1893, entitled 'An act to amend section 23 of chapter 63 of an act passed at the regular session of the Twenty-second Legislature, approved April 13, 1891, entitled an act to amend section 23 of an act entitled an act to redistrict the State into judicial districts and fix the terms of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next general election to be held on the first Tuesday after the first Monday in November, 1884, and to change the time of holding the terms of the district court in Brazoria county, and conform the issuance, service, and return of process from said court to such change, and providing an extension of time of the January term of the district court in Brazoria county,'"

House bill No. 669, being "An act to authorize the Fort Worth and Denver City Railway Company to fund its outstanding mortgage debt, and to substitute new bonds therefor, and secure the same by a mortgage upon its corporate property and franchises,"

House bill No. 690, being "An act to diminish the civil and criminal jurisdiction of the county court of Crockett county,"

Passed by a two-thirds vote—ayes 87, nays, none.

House bill No. 696, a bill to be entitled

"An act to be entitled an act to change and fix the times for holding courts in the Thirty-ninth Judicial District of the State of Texas, and to repeal all laws or parts of laws in conflict herewith."

Passed by a two-thirds vote—ayes 86, nays 2.

Senate bill No. 298, "An act to amend the act creating the Sixth Judicial District, and fixing the times for holding the terms of court therein, and to repeal all laws in conflict with this act,"

Passed by a two-thirds vote—ayes 91, nays 1.

House bill No. 430, a bill to be entitled "An act to provide for boards of examiners and the issuance of city teachers' certificates."

House bill No. 728, a bill to be entitled "An act to provide for the publication and distribution of the Revised Civil Statutes, the Penal Code, and Code of Criminal Procedure of the State of Texas, adopted and established by the Twenty-fourth Legislature of the State of Texas, and to make an appropriation therefor."

Passed by a two-thirds vote—ayes 93, nays none.

Substitute House bill No. 302, a bill to be entitled "An act to provide for a supplemental assessment roll, and to collect taxes due by persons or upon property not listed by the tax assessor."

Passed by a two-thirds vote—ayes 105, nays none.

Senate bill No. 209, "An act to amend article 4767, section 1. of the Revised Civil Statutes of the State of Texas, with reference to the compensation of tax collectors so as to regulate the divisions of commissions between incoming and outgoing collectors, so as to prevent double payment."

Also, the House has adopted the following concurrent resolution, to-wit:

Whereas, to enroll the bills to adopt and establish the Revised Civil Statutes and Criminal Statutes passed by the Legislature, as required by joint rule No. 9 of the Senate and House, will require much time and unnecessary expense; therefore be it

Resolved by the Senate, the House concurring, that said joint rule No. 9 be suspended as far as relates to said bills and that an enrollment of the amendments made thereto in proper order shall be considered sufficient enrollment of said bills.

Also, that the House tenders to Mr. J. P. Pool, Secretary of the Senate, its thanks and appreciation of his valuable services rendered in assisting the Reading Clerk of the House on Saturday night.

Also, that the House has appointed the

following members on free conference committee on the general appropriation bill: Messrs. Morrison, Mills, Giddings, Wester and Peyton.

Respectfully,  
CHESTER HAILE, Chief Clerk.

Senator Lewis moved that the special committee to whom House bill No. 404 (trust bill) was committed this morning be instructed to report on same at 3 p. m. today, if possible, and that the bill, if reported, be made special order for that hour, and from day to day until disposed of.

So ordered.

#### IN SENATE.

House bill No. 669, a bill to be entitled "An act to authorize the Fort Worth and Denver City Railway Company to fund its outstanding mortgage debt, and to substitute new bonds therefor, and secure the same by a mortgage upon its corporate property and franchises."

Read first time and referred to Committee on Internal Improvements.

House bill No. 581, a bill to be entitled "An act for the relief of Mrs. Jane W. Humphreys, widow of P. W. Humphreys, and to grant her a certificate of 1280 acres of land."

Read first time and referred to Committee on Public Lands.

House bill No. 644, a bill to be entitled "An act to grant a pension to Berry Merchant."

Read first time and referred to Committee on Claims and Accounts.

On motion of Senator Sherrill, regular order of business was suspended to take up

Substitute House bills Nos. 85 and 91, a bill to be entitled "An act to adopt and establish a Penal Code and Code of Criminal Procedure for the State of Texas."

Bill read second time and passed to a third reading.

Senator Lasker called up

House bill No. 55, a bill entitled "An act creating the office of Fish and Oyster Commissioner, and defining his duties,"

And had same made special order for tomorrow after call.

Senator Bowser withdrew his motion to reconsider the vote by which Senate bill No. 252 (see caption above) was passed, and to table that motion.

Senator Dibrell entered a motion to reconsider the vote by which the above bill was passed.

On motion of Senator Bowser, the call of the Senate was suspended.

Senator Greer called up

Senate bill No. 197, a bill to be entitled "An act to sanction, rat-

ify and confirm the title of the Texas and New Orleans Railroad Company to the railroad and to all the corporate rights, franchises and privileges of the Sabine and East Texas Railway Company, and to authorize the Texas and New Orleans Railroad Company to purchase, own, possess and operate the railroad, and to purchase, own and exercise all the corporate rights, franchises and privileges of the Louisiana Western Extension Railroad Company, and to authorize said Texas and New Orleans Railroad Company to own and operate said Sabine and East Texas Railway and said Louisiana Western Extension Railroad as part of its line."

Which had been vetoed by the Governor (see Senate Journal April 11), the question being "shall the bill pass over the Governor's veto?"

Bill passed over Governor's veto by the following two-thirds vote:

## Yeas—18.

Atlee,	Greer,
Bailey,	Lasker,
Beall,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Dean,	Shelburne,
Dibrell,	Sherrill,
Dickson,	Simpson,
Goss,	Tips.

## Nays—7.

Colquitt,	Smith,
Darwin,	Steele,
Gage,	Woods.
McKinney,	

## Paired.

Yea.	Nay.
Rogers,	Stafford.

## Absent, excused.

Agnew.

## Absent, not excused.

Harrison,	Whitaker.
Presler,	

On motion of Senator Tips, regular order was suspended to take up

House joint resolution No. 18, "Joint resolution to amend section 4, of article 7, of the Constitution of the State of Texas."

Resolution read second time and passed to third reading.

On motion of Senator Shelburne, the regular order was suspended to take up

Senate bill No. 177, a bill to be entitled "An act to amend article 391, title 12, of the Penal Code relating to the leaving of dead animals in public roads, etc."

Read third time and passed.

## COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 55, "An act to amend article 75 of chapter 1 of title 8, of the Revised Civil Statutes of the State of Texas, relating to appointment of medical superintendents of lunatic asylums,"

And find the same correctly enrolled, and have this day at 11:45 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 191, a bill entitled "An act to amend sections 38, 103, 106, and 138 of an act entitled 'An act to incorporate the city of Fort Worth, and to grant a charter to said city,' approved March 20, 1889, and sections 6, 7, 20, 34, 88, and 102 of said act as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101d, 101e, 102a, 103a, 104a, 106a, 106b,' and also 105a, 105b, 105c, in reference to the board of equalization, and providing for an appeal from such board to the district court,"

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 45, "An act to amend article 3183, chapter 4, title 61, of the Revised Civil Statutes, relating to liens,"

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 56, "An act to amend



article 503 of chapter 3, title 15, of the Penal Code of the State of Texas, relating to the offense of assault with intent to commit rape, and prescribing a penalty therefor."

And find the same correctly enrolled, and have this day at 11:45 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 137, "An act to amend sections 5 and 8, and to repeal section 9 of an act approved March 30, 1881, entitled 'An act to establish the University of Texas,'"

And find the same correctly enrolled, and have this day, at 11:45 o'clock a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Substitute Senate bill No. 23, "An act to amend section 1, chapter 15, of the general laws of the State of Texas, passed at the regular session of the Twenty-third Legislature, and to fix the time and place of making sales of real estate under execution, order of sale or venditioni exponas, and to prescribe the mode and manner of advertising such sales,"

And find the same correctly enrolled, and have this day, at 11:45 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 211, "An act to authorize and empower the Houston and Texas Central Railway Company to acquire, control and operate, upon such terms as may be agreed upon by the parties, by lease or purchase and by consolidating with and merging into its own the railroad and all the corporate rights, franchises and privileges and property of the Central Texas and Northwestern Railway Company, the Fort Worth and New Orleans Railway Company, the Austin and Northwestern Railroad Com-

pany and the Granite Mountain and Marble Falls City Railroad Company, each respectively; and to authorize and empower each and all of said last named companies to lease or sell or consolidate with and merge into said Houston and Texas Central Railroad Company their respective corporate rights, franchises, privileges and property; and providing for the forfeiture and reversion of certain rights of way and depot grounds within the corporate limits of the city of Waxahachie."

And find the same correctly enrolled, and have this day at 11:45 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

House bill No. 669, a bill to be entitled "An act to authorize the Fort Worth and Denver City Railway Company to fund its outstanding mortgage debt, and to substitute new bonds therefor and secure the same by mortgage upon its corporate property and franchises,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Acting Chairman.

Senator Colquitt moved to adjourn to 3 p. m.

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Adjourned to 10 a. m. tomorrow by the following vote:

Yeas—14.

Bailey,  
Boren,  
Dean,  
Dibrell,  
Dickson,  
Greer,  
Lasker,

Lewis,  
Presler,  
Shelburne,  
Simpson,  
Smith,  
Steele,  
Tips.

Nays—9.

Beall,  
Colquitt,  
Darwin,  
Gage,  
Goss,

McComb,  
Rogers,  
Sherrill,  
Woods.

Absent, excused.

Agnew,  
McKinney,

Stafford.

Absent, not excused.

Atlee,  
Bowser,  
Harrison,

Lawhon,  
Whitaker.